

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

**David Anthony Breaux,**

Petitioner,

**v.**

**Brian Cates, Warden California  
Correctional Institution,**

Respondent.

Case No. 2:93-cv-00570-DJC-SCR

**[PROPOSED] ORDER**

The parties request that the Court order the parties to file a joint statement updating the Court on Mr. Fathy's deposition by January 9, 2026.

Upon considering the parties' joint request, the Court orders the following:

The parties shall file a joint report by January 9, 2026 updating the Court on the status of the testimonial deposition of Richard Fathy.

DATED: November 4, 2025

  
SEAN C. RIORDAN  
UNITED STATES MAGISTRATE JUDGE